

## **TITLE 8 DEVELOPMENT CODE**

### **DIVISION 12: GENERAL DEFINITIONS**

#### **CHAPTER 6: Definitions beginning with F.**

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##### **812.06005 Family**

"Family": A person or persons living together as a single housekeeping unit in a dwelling unit.

Readopted Ordinance 3341 (1989)

##### **812.06010 Final Map**

"Final Map": See the California Government Code, Title 7, Division 2 definition.

Readopted Ordinance 3341 (1989)

##### **812.06015 Findings**

"Findings": A set of conclusions which are required before specified permits, land use applications, deviations, ordinance changes or other entitlements may be granted.

Readopted Ordinance 3341 (1989)

##### **812.06020 Fire Authority**

"Fire Authority": The San Bernardino County Fire Warden, State Forest Ranger in charge of the California Department of Forestry, U.S. Forest Supervisor, or if within the jurisdiction of a Fire Protection District, the Board of Directors of said district.

Readopted Ordinance 3341 (1989)

##### **812.06025 Fire Authority, Local**

"Local Fire Authority" is the fire department or agency serving a subject area as specified by County Code Subsection 23.015(h).

Readopted Ordinance 3341 (1989)

##### **812.06030 Fire-Resistive or Fire-Resistive Construction**

"Fire-Resistive or Fire-Resistive Construction": Is construction to resist the spread of fire, details of which may be specified in the Building Code of the jurisdiction.

Readopted Ordinance 3341 (1989)

**812.06035 Fire-Resistive Rating.**

"Fire-Resistive Rating": The time that the material or construction will withstand the standard fire exposure as determined by a fire test made in conformity with the standard methods of fire tests of buildings, construction and materials in the U.B.C. Standards.

Readopted Ordinance 3341 (1989)

**812.06038 Fire Wood Contractor.**

"Fire Wood Contractor": An individual who cuts, sells, stores and/or delivers fire wood.

Adopted Ordinance 3714 (1998)

**812.06040 Flammable Liquid**

"Flammable Liquid": Any liquid having a flashpoint below 100°F and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100°F. Class I liquids shall include those having flash points below 100°F and may be subdivided as follows:

- (a) Shall include those having flash points below 73°F and having a boiling point below 100°F.
- (b) Shall include those having flash points below 73°F and having a boiling point at or above 100°F.
- (c) Shall include those having flashpoints at or above 73°F and below 100°F.

Readopted Ordinance 3341 (1989)

**812.06045 Flammable Solid**

"Flammable Solid": A solid substance, other than one classified as an explosive, which is liable to cause fires through friction, through absorption of moisture, through spontaneous chemical changes or as a result of retained heat from manufacturing or processing.

Readopted Ordinance 3341 (1989)

**812.06050 Flood Control District**

"Flood Control District": The San Bernardino County Flood Control District.

Readopted Ordinance 3341 (1989)

**812.06055 Flood Control Engineer**

"Flood Control Engineer": The Engineer of the San Bernardino County Flood Control District appointed by the Board of Supervisors, or an authorized designee.

Readopted Ordinance 3341 (1989)

**812.06060 Flood Hazard**

"Flood Hazard": A substantial possibility of damage to life or property by overflow water, ponded water, or other water on the surface of the land, or by debris, or silt carried in such water.

The following flood related terms are defined as follows:

- (a) "ALLUVIAL FAN". A geomorphologic feature characterized by a cone or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion sediment movement and deposition, and channel migration.
- (b) "APEX": The point of highest elevation on an alluvial fan, which on undisturbed fans is generally the point where the major stream that formed the fan emerges from the mountain front.
- (c) "BASE FLOOD". Base Flood means the flood having a one percent chance of being equalled or exceeded in any given year (also called the "100 year flood").
- (d) "CERTIFY". To authenticate or vouch for in writing, and signed by the certifying party, that the submitted data is true, as represented, or that the requirements of the regulations have been satisfied.
- (e) "DESIGN FLOOD". That flood against which protection is provided, or eventually will be provided, by means of flood protective or control works. When a Federal flood control project survey has been authorized, the design flood will be that established by the cognizant Federal agency and in all other cases will be determined by the San Bernardino County Flood Control District.
- (f) "FIRST HABITABLE FLOOR". The lowest floor in a structure usable for living purposes, which may include working, sleeping, eating cooking, recreation or a combination thereof.
- (g) "FLOOD". Any temporary rise in stream flow or water surface level that results in significant adverse effects in the floodplain. Adverse effects of floods may include damages from overflow of land areas, effects of temporary

backwater or sewers and local drainage channels, bank erosion or channel shifts, unsanitary conditions or other unfavorable conditions resulting from deposition of materials in stream channels during flood recessions, rise of ground water coincident with increased stream flow and interruption of traffic at bridge crossings.

(h) "FLOOD BOUNDARY AND FLOODING MAP". The Official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.

(i) "FLOOD INSURANCE RATE MAP (FIRM)". The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

(j) "FLOODPLAIN". The relatively flat area or lowlands adjoining the channel of a stream or watercourse and subject to overflow by flood waters.

(k) "FLOODPLAIN OVERLAY DISTRICT".

(1) "FP1 Overlay District". (100 Year Flood) Area. Areas of 100 year flood as defined by the Federal Flood Insurance Regulations.

(2) "FP2 Overlay District". Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.

(3) "FP3 Overlay District". Areas of shallow flooding with undetermined, but possible, flood hazards as determined by the County, the Flood Control District, or other governmental agency.

(l) "FLOODWAY". The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory Floodway".

(m) "FUNCTIONALLY DEPENDENT USE". A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

(n) "HIGHEST ADJACENT GRADE". The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

(o) "HISTORIC STRUCTURE".

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(A) By an approved state program as determined by the Secretary of the Interior or

(B) Directly by the Secretary of the Interior in states without approved programs.

(p) "LOWEST FLOOR". For floodplain management purposes the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

(q) "MANUFACTURED HOME". For floodplain management purposes, means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days.

(r) "MANUFACTURED HOME PARK OR SUBDIVISION". For flood-plain management purposes, means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.

(s) "NEW CONSTRUCTION". For the purposes of determining insurance rates, structures for which "the start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, including any subsequent improvements to such structures. For flood plain management purposes, structures for which the "start of construction" commenced on or after the effective date of a flood plain management regulation adopted by a community and includes any subsequent improvements to such structures.

(t) "REGULATORY FLOODWAY". The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

(u) "START OF CONSTRUCTION". Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

(v) "SUBSTANTIAL DAMAGE": Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

(w) "SUBSTANTIAL IMPROVEMENT". Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violation of state or local health, sanitary, or safety code specification which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation a "historic structure".

(x) "SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT". A district established by act of the State Legislature, empowered to protect the watercourses of said District and governed by the Board of Supervisors of the County of San Bernardino acting as ex officio Governing Board of the District.

(y) "SELECTED FLOOD". A flood of a recurrence interval determined by the Planning Commission or Board of Supervisors after a recommendation of the Engineer of the San Bernardino County Flood Control District.

(z) "STANDARD PROJECT FLOOD". A flood that would result from a storm that is considered reasonably characteristic of the region in which the drainage area is located, giving consideration to the runoff characteristics of the drainage area and excluding rare combinations of meteorologic and hydrologic conditions. Such a flood provides a reasonable upper limit to be considered in designing flood control improvements and floodplain limits.

Readopted Ordinance 3341 (1989); Amended Ordinance 3427 (1990)

#### **812.06065 Freeway**

"Freeway": Any dedicated or deeded public right-of-way to which the owners of abutting lands have no right or easement of access to or from their abutting lands. In addition, freeway shall include those rights-of-way designated by official action as freeways by the California State Highway Commission or the County Board of Supervisors.

Readopted Ordinance 3341 (1989)

#### **812.06067 Freight Container.**

"Freight Container": Container primarily used to transport goods on trucks, railroad cars, ships, aircraft or other forms of transportation.

Adopted Ordinance 3864 (2002)

#### **812.06070 Front Wall**

"Front Wall": The nearest wall of a building or other structure to the street upon which the building faces, but excluding cornices, canopies, eaves or any other architectural embellishments that may extend beyond said front wall, not to exceed a distance of four (4) feet.

Readopted Ordinance 3341 (1989)

#### **812.06075 Frontage Road**

"Frontage Road": A minor street which is parallel to, and adjacent to, an arterial street or freeway, and which provides access to abutting properties and protection from through and fast traffic.

Readopted Ordinance 3341 (1989)

#### **812.06080 Fuelbreak**

"Fuelbreak": Areas also known as green belts which separate communities or clusters of structures from native vegetation. Within the fuelbreak boundaries the vegetation is thinned out, pruned, modified or landscaped to

effectively reduce the volume and flammability of fuel, thereby substantially reducing or preventing the rate of spread and intensity of wildland fires.

Readopted Ordinance 3341 (1989)

**812.06085 Fuel Modified Area.**

"Fuel Modified Area": An area where living and dead vegetation is managed regularly, usually by trimming, removal or substitution of natural vegetation, in order to reduce fire hazard, by use of mechanical, chemical and biological means and/or prescribed burning.

Readopted Ordinance 3341 (1989)

**812.06090 Future Right-of-Way.**

"Future Right-of-Way": Future right-of-way of streets shown in the Circulation Element of the General Plan shall be based upon the adopted County Road Standards assuming an equal dedication of right-of-way on both sides of the existing centerline, or shall otherwise be determined as shown on any adopted specific plan.

Readopted Ordinance 3341 (1989)